

**MINUTES OF COUNCIL MEETING
FEBRUARY 24, 2005
6:30 P.M.**

The Murray City Council met in regular session on Thursday, February 24, 2005, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Lance Allison, Robert Billington, Rita Henley, Danny Hudspeth, Pete Lancaster, Doris Parham, Hugh Massey, Dan Miller, Jason Pittman, Pat Scott, Butch Seargent, and Bill Wells.

Council Members Absent: None.

Staff Present: Don Elias, Ken Claud, Clayton Hendricks, Thomas Clendenen, Michael Skinner, J. L. Barnett, Matt Mattingly, David Roberts, Gail Mullins, Don Rogers, Philip Morris, Don Leet, Candace Dowdy, Warren Hopkins, and Harla McClure.

Minutes of the council meeting held February 10, 2005, were presented for approval. **Ms. Henley moved, seconded by Ms. Parham,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Ken Claud, Chief of Police, and asked that he introduce the newest members of the police department. Chief Claud introduced Chesley Thomas, who graduated from the Telecommunications Academy. He also introduced the three newest members of the police department: Angel Burkeen, Jay Herndon, and Andy Cooper. He stated the entire class was a class of distinction because of their overall high academics lack of disciplinary infractions.

Mayor Rushing recognized Chip Adams, attorney for the Murray Calloway County Hospital, and asked that he provide information regarding the incorporation of the ambulance service.

Mr. Adams stated the reason that the ambulance was incorporated was to have a better recovery of benefits under Medicare and Medicaid for services rendered.

Mr. Adams stated the ambulance currently bills under Medicare Part A, which pays based on the discharge diagnosis. However, Medicare Part B pays based on the diagnosis you present with. Billing under Part A results in a high denial rate. Incorporating allows the ambulance service to bill under Part B and recovers more. He further stated that the boards are the same for the hospital and the ambulance service. Mr. Adams stated that there are not many ambulance services in the country that bill under Medicare Part A.

Mr. Billington moved, as seconded by Mr. Massey to approve the incorporation of the ambulance service. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared the motion approved.

Mayor Rushing requested that Mr. Adams provide the council with how the nominating committee works and how the names presented for appointment were selected. Mr. Adams stated that he had been before the council in June of 2004 to review the changes in the Bylaws and Articles of Incorporation for the hospital. At that time, the nominating process was amended to allow for the presentation of up to ten names. The city council will select from those names available on even years and the fiscal court will select on odd years. Each legislative body will select from the entire pool of names.

Dr. Miller moved to postpone filling the positions. He stated he would like the opportunity to receive input from the community at the joint meeting on March 8th. **Mr. Seargent seconded the motion.**

Mr. Lancaster asked if the individuals being considered were public knowledge and Mayor Rushing stated that they were.

Mr. Wells stated that the meeting on March 8th would not have a significant impact on who was chosen now. He stated it is important to get the individuals on board so they can get adjusted to what is required of them to serve on the commission.

Dr. Miller stated it would be important to see which nominees appeared at the joint meeting; however, Mr. Wells stated that attendance at that meeting would not alter his decision because there are times that council members are not able to be present. He believes each individual is interested in serving or they would not have submitted their names for consideration.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Robert Billington, Dan Miller, Butch Seargent, and Jason Pittman.

NAYS: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Pete Lancaster, and Bill Wells.

Mayor Rushing stated the vote was 4 to 8 to postpone; therefore, the motion to postpone died.

The following names were presented to the council for consideration of Position #6 to the Board of Commissioners for the Murray Calloway County Hospital. Said term is for four years and will expire March 31, 2009.

Vernon Gantt
David Taylor

Mark Manning
Burton Young

The council was polled, and the vote is as follows:

Vernon Gantt: Doris Parham

Mark Manning: Hugh Massey and Rita Henley

David Taylor: Lance Allison, Danny Hudspeth, Butch Seargent, Pete Lancaster, and Bill Wells

Burton Young: Pat Scott, Robert Billington, Dan Miller, and Jason Pittman

The council was again polled and asked to vote on the two individuals who received the most votes. Said vote is recorded as follows:

David Taylor: Lance Allison, Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Pete Lancaster, and Bill Wells

Burton Young: Doris Parham, Pat Scott, Robert Billington, Dan Miller, and Jason Pittman

Dr. Miller moved seconded by Mr. Pittman to appoint David Taylor to serve a four year term for Position #6 to the Board of Commissioners of the Murray Calloway County Hospital. Said term will expire March 31, 2009. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared David Taylor appointed to Position #6.

The council was then polled on the remaining names in order to appoint one of the individuals to Position 8, which is a year term that will expire March 31, 2006.

Vernon Gantt: None

Mark Manning: Hugh Massey, Rita Henley, and Bill Wells

Burton Young: Lance Allison, Danny Hudspeth, Doris Parham, Pat Scott, Robert Billington, Dan Miller, Butch Seargent, Jason Pittman, and Pete Lancaster

Mr. Pittman moved, seconded by Mr. Lancaster to appoint Burton Young to serve a one year term for Position #8 to the Board of Commissioners of the Murray Calloway County Hospital. Said term will expire March 31, 2006. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Burton Young appointed to Position #8.

Ordinance Number 2005-1366 an Ordinance annexing a 16.0294 acre tract of Fairfield Subdivision located on Robertson Road South and owned by Dale Campbell, D&D, Inc. was presented to the council for a second reading. **Mr. Wells moved, seconded by Ms. Parham** to adopt Ordinance Number 2005-1366. With no discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1366 adopted on the second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2005-1371 an Ordinance repealing Chapter 153 of the City of Murray Code of Ordinances was presented to the council on a second reading. **Ms. Henley moved, seconded by Mr. Massey** to adopt Ordinance Number 2005-1371.

With no discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1371 adopted on the second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2005-1372 an ordinance zoning as R-2 (single family residential) a 16.0294 acre tract of Fairfield Subdivision located on Robertson Road South and owned by Dale Campbell, D&D, Inc. was presented to the council on a second reading. **Mr. Pittman moved, seconded by Mr. Lancaster** to adopt Ordinance Number 2005-1372.

With no discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1371 adopted on the second reading and recorded in Ordinance Book Number 6, Page _____.

Recommendation from the Murray Planning Commission regarding text amendment to Chapter 156 (zoning code) of the City of Murray Code of Ordinances was presented to the council for approval. David Roberts, Director of Planning and Engineering, and Candace Dowdy, City Planner, provided additional information on the recommended changes.

Mr. Roberts stated that the process started in January of 2004. He stated that there were several meetings held by the Planning Commission to discuss possible changes. There was also a sign committee formed to recommend needed changes.

Mr. Roberts stated the council has to either approves the changes as a whole or reject them as a whole.

Mr. Seargent moved, seconded by Mr. Massey to approve the recommended text amendment and to authorize the attorney to draft an ordinance amending same.

Ms. Henley requested to know how the small business owners felt about the recommended changes to the signage allowed on windows. Mr. Roberts stated there were concerns about limiting window signage; however, with the proposed changes, it is more lenient and business friendly.

Mr. Hudspeth questioned the changes to a B-4 zone. Mr. Roberts stated B-4 is on 12th Street from Sycamore up to Payne. He stated B-1 (neighborhood business) is more restrictive than B-4. He believed that B-4 was being restricted by not including some of the allowed uses of

B-1. He stated that you should be able to have the same business in a B-4 that you would be able to have in a B-1.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Sargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing stated the recommended text amendment to the zoning ordinance is approved and the city attorney is authorized to draft an ordinance for same.

Mayor Rushing recognized Danny Hudspeth, chair of the Public Safety Committee, and asked that he provide a report from the meeting that was held prior to the council meeting. Mr. Hudspeth stated the committee met to discuss the speed limit throughout the City. He stated the committee is reviewing changing the speed limit in all residential zones to a 25 MPH speed limit. He further stated that Chief Claud will provide additional information on how the speed limit will be monitored and controlled. We will also get information from Thomas Clendenen, Street Supervisor, regarding how signage will be handled.

Mr. Roberts will provide a list of the streets affected by the possible change.

Mr. Hudspeth stated the Traffic Control Committee presented the Public Safety Committee with a recommendation to send to the Kentucky Department of Highways regarding David Taylor's request for the curve at South 16th Street. **Mr. Hudspeth moved, as unanimously recommended by the committee,** to forward the recommendation for the curve at South 16th Street to the Kentucky Department of Highways. **Pat Scott seconded the motion.**

With no further discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Lance Allison, chair of the Public Works Committee, and requested that he provide a report from the meeting that was held prior to the council meeting. Mr. Allison stated that the committee met to discuss bids for a culvert replacement on Meadow Lane. The estimated cost for the project is \$51,888.50. The low bid is from R & M Trucking for \$32,812.40, and GEOTECH Engineering recommended that we accept their bid. **Mr. Allison moved, as unanimously recommended by the Public Works Committee,** to accept the bid from R & M Trucking for \$32,812.40 on the culvert replacement at Meadow Lane. **Mr. Billington seconded the motion.** With no further discussion, Mayor Rushing calls for the voice vote, which is unanimous in favor of the motion.

Mr. Wells stated the next Make a Difference Day will be March 12th from 9:00 a.m. to 1:00 p.m.

With no further business to come before the council, the meeting adjourned at 7:30 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure
City Clerk